

From: [SANTOS, CARMEN](#)
To: [Wilson, Patrick](#)
Bcc: [Armann, Steve](#)
Subject: FW: PCBs: Aspire School Site, Oakland, CA - USEPA Comments on Addendum Report and Other Documents
Date: Tuesday, March 05, 2013 10:54:00 AM
Attachments: [REVISED DRAFT rpt-TSCA Implementation-2013-03-01-EM009155.doc](#)

[REDACTED]

From: Goloubow, Ron [mailto:Ron.Goloubow@arcadis-us.com]
Sent: Friday, March 01, 2013 12:34 PM
To: SANTOS, CARMEN
Subject: RE: PCBs: Aspire School Site, Oakland, CA - USEPA Comments on Addendum Report and Other Documents

Carmen I have completed the revisions to the addendum report. I am moving on to the soil management plan and operation plan. If you would like to review the revised text of the report; it is attached...

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com

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From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Monday, December 10, 2012 5:04 PM
To: Goloubow, Ron
Cc: Wilson.Patrick@epamail.epa.gov
Subject: PCBs: Aspire School Site, Oakland, CA - USEPA Comments on Addendum Report and Other Documents
Hello Ron:

Below are my comments on several documents that you submitted for review. We discussed many of these comments during our conference call on December 7, 2012. Please make revisions responsive to the comments and consistent with the December 7, 2012 conference call.

Please send us a CD-ROM containing the appendices or attachments to the Addendum since the original CD-Rom appears to be defective.

In reference to the O&M Plan, given the significance of the matters covered in Sections 4. through 8. of that plan, please schedule a conference call to go over those sections of the plan. After that future call, I may have additional comments on the O&M Plan. For now, comments on the O&M Plan are included in comments 14 through 19.

Addendum Report (PCB cleanup report)

Pages 2 to 3, Last bullet ("Revised figures showing: . . .")

1. Addendum. The sub-bullet under the Last bullet states that "Areas where cleanup levels were achieved, where the cleanup levels were not achieved and where soils contaminated with PCBs above the cleanup level were encapsulated. . . ." The sub-bullet should be expanded to clarify that "encapsulated" soils are beneath the cap and the depth at which the "encapsulated" soils are located beneath the cap.
2. Addendum. Figure 3 ("System Plan Showing Pavement Plan / Cap In-Place Soil Exceeding PCB Cleanup Goals"). We were under the understanding that Arcadis had agreed to excavate and consolidate in the W1-SDWall 2' and W2-SDWall 2' area all the soils that exceeded the cleanup level at the site. Please clarify if that approach was followed. If a different approach was followed the Report should be revised to explain how soils above the PCB cleanup level was handled. Comparison of Figure 3 to the table ("Post-Demolition Surface Soil Samples") on page 3 indicates that except for PD-1, PD-2, and PD-6, the remaining data in that table is not included in Figure 3. Is Figure 3 supposed to show the PCB concentrations summarized in the table found in page 3? Please clarify. In addition, if all soils containing PCBs above the cleanup level were consolidated in the W1-SDWall 2' and W2-SDWall 2' area, or consolidated in another area in addition to the W1 and W2 areas, or left in place in addition to been consolidated in a specific area then Figure 3 should include clarification notes addressing this matter. Please revise the text of the Report and Figures in response to this comment.
3. Addendum. The Report states in page 3 that "An area measuring approximately 10 feet long by 10 feet wide by 2 feet below grade was excavated at each of three locations (PD-3, PD-4, and PD-5; see Figure 3)." However, the locations PD-3 through PD-5 are not depicted in Figure 3. In addition, the Report does not state whether the soils removed from PD-3 through PD-5 were disposed offsite or consolidated onsite. Please clarify the fate of the soils excavated from PD-3 through PD-5 and PD-1, PD-2, and PD-6.

Pages 9 to 10 of the Report:

4. Addendum. What is the in-situ PCB concentration for soils in EXC-PCB2, EXC-PCB3, EXC-PCB4, and EXC4? In addition, please also confirm the concentration of PCBs in soils from EXC4 that were mixed with soils from the other excavations. According to the report the soil was stockpiled and sampled for PCBs to determine the PCB concentration for disposal. And the soils were disposed of at the Republic Services Keller Canyon Landfill which is a construction debris landfill. The in-situ concentration and not the concentration of PCBs in the stockpiled soils should had been used to determine the disposal method and facility as required in the regulations. Also, according to the report, EXC4 soils contained PCBs above 50 mg/kg. Please revise the Report to address the needed clarifications.
5. Addendum. The Report states that copies of manifest numbers: 005417521JJK, 005417522JJK, and 005417534JJK have not been received from Kettlemann. USEPA requested that Kettleman provide copies of those manifests. Attached are the pdf files containing that information.
6. Addendum. What was the PCB concentration in concrete and other debris consolidated at the site and disposed of at the Republic Services' Keller Canyon Landfill? Was the concentration of PCBs in each of the different materials (e.g., wood, concrete) below 50 mg/kg total PCBs?
7. Addendum. Nomenclature for sample identification codes is inconsistent within the Report and the Figures in the Report. These inconsistencies need to be reconciled.
8. Addendum. Soil Disposal Summary. Please review the table and text in reference to the disposal summary and clarify the waste classifications. For instance, PCB remediation waste with PCB concentrations above the cleanup level is being regulated by TSCA for disposal. The difference is in the disposal options based on PCB concentration. 50 ppm and higher, disposal in TSCA or RCRA/TSCA

landfill. less than 50 ppm, disposal in TSCA, RCRA/TSCA, municipal solid waste, or construction debris landfill. California regulates PCBs at 50 ppm and higher as a hazardous waste.

Page 5, Revised health risk screening calculations

9. Addendum. The report should explain the meaning of the estimated risk in context to the mitigation measures (e.g., cap) applied to the site to mitigate health risks. The protectiveness of the mitigation measures should be explained in context to the risk reduction that they provide.

Figures

10. Addendum. All figures must be revised to accurately depict the actual PCB residual concentrations and location of those concentrations at the site and actual areas where soils contaminated with PCBs above the cleanup level were consolidated. The figures must also be revised to accurately depict all sampling areas; and sample identification codes for samples representing remaining residual PCB concentrations at the site.

Soil Management Plan (SMP)

11. SMP. General comment. The soil management plan must be revised to reflect final conditions at the site and to be consistent with the final PCB cleanup report.

12. SMP. Section 4. Soil Remediation. The second paragraph in Section 4: "The most likely location for affected soil to be encountered during redevelopment activities is along the property boundary at the northwestern portion of excavation PCB3 and the property boundary at the northeastern portion of excavation EXC4." This paragraph is inconsistent with Figure 3 of the Addendum Report and must be revised.

13. SMP. The plan must be revised to include actions that will be taken to properly manage soils containing PCBs during post- redevelopment activities, such as during repairs to the cap and repairs to below ground utilities.

Draft Operation and Maintenance Plan for Cap Mitigation Measures (O&M Plan)

14. Cap O&M Plan. General comment. The Cap O&M Plan must be revised to accurately capture current conditions at the site and the final cap as described in the Addendum Report. The Cap O&M Plan, Addendum Report, Soil Management Plan, and Restricted Covenant should be accurate and the information presented not conflict among these documents. Figures presented in all these documents must present consistent and accurate data.

15. Cap O&M Plan. The cap is to be maintained in perpetuity.

16. Cap O&M Plan. Section 1.2.2 (Self-Implementing Cleanup Plan), Paragraph 6. The information presented in this paragraph is incomplete. Based on Figure 3 in the Addendum Report, PCBs above the cleanup level were left in place at several locations in addition to the W1-WSDWall 2' and W2-WSDWall 2' areas.

17. Cap O&M Plan. A restrictive covenant has been prepared for EPA review and not a deed notification.

18. Cap O&M Plan. Section 4.1 (Periodic Inspections). Please describe the training that will be given to

school staff proposed to conduct inspections of the cap and provide the qualifications of such personnel to conduct the cap inspections and repairs.

19. Please propose a convenient time for a conference call to discuss Section 4. (O&M Inspections), Section 5. (Intrusive Work Activities, Section 6. (Reporting and Recordkeeping), Section 7. (Site Access), and Section 8. (Variance, Modification, or Termination of O&M Plan).

Covenant and Environmental Restriction on 1009 66th Avenue, Oakland, California

20. Covenant. EPA should be a beneficiary and not a covenantee under the Covenant. Attached is an example template of a restrictive covenant for your use in revising the restrictive covenant for the Aspire site. A restrictive covenant is necessary for the site to ensure the cap is monitored, maintained, and repaired in perpetuity; and that proper procedures are in place for protection of human health and the environment in case the cap is breached to conduct post redevelopment activities such as repairs to underground utilities.

21. Covenant. The information in the covenant needs to be updated to reflect completion of the final PCB remedy at the site and revised cleanup completion reports..

22. Covenant. In addition to referencing several documents in the covenant such as the Soil Management Plan, Operation and Maintenance Plan for the Cap, and Addendum Report, we recommend the following information be included in applicable articles of the covenant:

- Full description and survey coordinates for the cap.
- Figure depicting accurate location and survey coordinates for cleanup verification samples that exceed the cleanup level; and location of consolidated soils containing PCBs. The current figures are not accurate and do not depict all locations where residual PCB concentrations above the cleanup level remain at the site. The exhibits to the covenant need to be revised to reflect accurate information. For example, the "Lands of College for Certain, LLC PCB Encapsulated Area" does not include all areas at the site where PCBs in soils exceed the cleanup level.
- Additional figures as necessary.
- Text explaining the cap must be operated, maintained, and repaired in perpetuity. Modifications to the cap require EPA approval before making the modifications.
- Land use or zoning for the Aspire property.
- Post-redevelopment management of soils that contain PCBs.
- Cap monitoring (or inspection), maintenance, and repair activities including frequency of inspections and schedules for inspections and repairs. Revised cap inspection form.
- In case that a residential redevelopment is decided in the future to be built in the area of the Aspire school, additional soil cleanup may be necessary.
- Management of soils and contingencies when replacing vegetation (e.g., plants, shrubs, trees) in the planters.
- Revised legal descriptions including Parcel 1, Parcel 2, and the PCB Encapsulated Area.
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23. Covenant. The revised covenant should undergo legal review before resubmitting the document for EPA review.

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Please let me know if you have any questions concerning the above comments.

Sincerely,
Carmen

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"Think left and think right and think low and think high. Oh, the thinks you can think up if only you try!" Dr. Seuss

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